

Appl. No.: 09/833,607
Amdt. dated 06/16/2006
Reply to Office action of 01/18/2006

REMARKS

This amendment is submitted with a request for two months extension in reply to the outstanding Office Action dated January 18, 2006. Claims 10-33 currently stand rejected. Applicants have amended independent claims 16, 23, 24 and 26 to have proper antecedent basis. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections - 35 USC §112

Claims 16, 23, 24 and 26 stand rejected under 35 U.S.C. §112, second paragraph, for insufficient antecedent basis. Applicants have amended claims 16, 23, 24 and 26 to recite “the user” instead of “a user” to provide sufficient antecedent basis.

Accordingly, Applicants respectfully submit that the rejections of claims 16, 23, 24 and 26 under 35 U.S.C. §112 are overcome.

Claim Rejections - 35 USC §101

Claims 31-33 currently stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants respectfully traverse.

Applicants respectfully point out that, as indicated in the document “EXAMINATION GUIDELINES FOR COMPUTER RELATED INVENTIONS” (hereinafter “Examination Guidelines”), which Applicants have referenced in drafting claims 31-33, the claims are statutory as currently written. The Examination Guidelines include a similarly structured claim (claim 13). At page 4 of the “Claim Analysis” section of the Examination Guidelines, it is stated that “Reviewed as a whole, and given its broadest reasonable interpretation, the claim is limited to a specific article of manufacture.” Applicants submit that the electromagnetic signal is embodied on a computer-readable medium (i.e., the carrier wave), as indicated in the Examination Guidelines. Additionally, each of the source code elements recites specific source code segments for performing corresponding functions. Thus, Applicants respectfully submit that, as

Appl. No.: 09/833,607
Amdt. dated 06/16/2006
Reply to Office action of 01/18/2006

indicated in the Examination Guidelines, claims 31-33 are directed to statutory subject matter. Applicants submit that the Examination Guidelines are accessible at the following link: <http://www.uspto.gov/web/offices/pac/dapp/pdf/compenex.pdf>.

Accordingly, the rejections of claims 31-33 under 35 U.S.C. §101 are overcome.

Claim Rejections - 35 USC §103

Claims 10-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schwartz et al. (U.S. Patent No. 6,209,009, hereinafter, “Schwartz”) in view of Edel et al. (“NEDIT 5.0”, hereinafter “Edel”). Applicants respectfully traverse.

The Office Action cites Schwartz as disclosing all of the elements of independent claims 10, 14, 18, 28 and 31, except providing continuous and wrapped length items in a menu structure for customizing a displayed element. In this regard, the Office Action cites Edel as curing the deficiency of Schwartz. Applicants respectfully disagree with this analysis.

Independent claims 10, 14, 18, 28 and 31 each recite, *inter alia*, selection of the continuous length item causes the element to be displayed as the continuous length element on a single line of the display. The Office Action asserts that Edel meets the above recited feature by virtue of the disclosure at page 33, lines 11-18. However, the cited passage of Edel refers only to two styles of wrapping, namely either “newline wrap” or “continuous wrap”. Newline wrap will wrap text at word boundaries when the cursor reaches the right margin (page 33, lines 13-14). More specifically, newline wrap keeps paragraphs lined up as you type but leave the right margin messy and uneven (page 11, lines 28-29). Thus, newline wrap does not cause an element to be displayed as the continuous length element on a single line of the display as claimed in independent claims 10, 14, 18, 28 and 31. Continuous wrap will wrap long lines which extend past the right margin (page 33, lines 13-14). More specifically, lines automatically wrap and unwrap themselves to line up properly at the right margin (page 11, lines 20-21). Thus, continuous wrap fails to cause an element to be displayed as the continuous length element on a single line of the display as claimed in independent claims 10, 14, 18, 28 and 31. In other words, both continuous and newline wrap simply disclose specific embodiments of automatic wrapping. In the absence of continuous or newline wrapping, Fill Paragraph arranges lines to fill the space

Appl. No.: 09/833,607
Amdt. dated 06/16/2006
Reply to Office action of 01/18/2006

between the two margins, wrapping lines neatly at word boundaries (page 11, lines 34-35). Accordingly, the cited passage, in particular, and all of Edel, in general, fails to teach or suggest selection of the continuous length item causes the element to be displayed as the continuous length element on a single line of the display as claimed in independent claims 10, 14, 18, 28 and 31. Furthermore, if the current rejection is to be maintain, Applicants respectfully request that any future rejection should point out the specific element of Edel that is relied upon as teaching the continuous length item, selection of which causes the element to be displayed as the continuous length element on a single line of the display.

Since Schwartz and Edel each fail to teach or suggest at least the aforementioned feature of independent claims 10, 14, 18, 28 and 31, any combination of Schwartz and Edel also fails to teach or suggest the subject matter of independent claims 10, 14, 18, 28 and 31. Thus, Schwartz and Edel, taken either individually or in combination, do not anticipate, or render independent claims 10, 14, 18, 28 and 31 obvious.

Claims 11-13, 15-17, 19-27, 29, 30, 32 and 33 depend either directly or indirectly from a respective one of independent claims 10, 14, 18, 28 and 31, and as such, include all the recitations of their respective independent claims. The dependent claims 11-13, 15-17, 19-27, 29, 30, 32 and 33 are therefore patentably distinct from Schwartz and Edel, individually or in combination, for at least the same reasons as given above for independent claims 10, 14, 18, 28 and 31.

For at least the reasons stated above, Applicants respectfully submit that the rejections of claims 10-33 are overcome.

Appl. No.: 09/833,607
Amdt. dated 06/16/2006
Reply to Office action of 01/18/2006

CONCLUSION

In view of the amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Chad L. Thorson
Registration No. 55,675

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JUNE 16, 2006.
CLT01/4834912v1